

THIS OPINION WAS NOT WRITTEN FOR PUBLICATION

The opinion in support of the decision being entered today (1) was **not** written for publication in a law journal and (2) is **not** binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte GEORGE TRIANTOPOLOS and
KEN BANAS

Application No. 10/047,471

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received electronically at the Board of Patent Appeals and Interferences on November 19, 2004. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below:

On March 31, 2004, Appellants filed a Request for Oral Hearing and Reply Brief. A review of the file reveals that the Reply Brief needs to be considered by the examiner with respect to compliance with the criteria set forth in 37 CFR §§ 1.197 and 1.198. A communication notifying appellants of the primary examiner's decision is required.

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PAT & TM OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

Accordingly, it is

ORDERED that the application is returned to the Examiner for consideration of the Reply Brief, notification to applicant of considered and for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By:



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